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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,803	08/03/2001	Andrew M. Ritchie	1561-77	7837

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EXAMINER

RONES, CHARLES

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/920,803

Applicant(s)

RITCHIE ET AL.

Examiner

Charles Rones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-6, 8-9, and 12-21 is/are rejected.
- 7) ☐ Claim(s) 7,10,11 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Amendment***

The amendment timely filed on December 16, 2003 has been entered.

### ***Specification***

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01. See specification pages 29 and 30.

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 2-6, 8-9, and 12-21 are rejected under 35 U.S.C. 103(e) as being unpatentable by Wolff U.S. Patent No. 5,848,413 ('Wolff') in view of Meske, Jr., et al. U.S. Patent No. 5,530,852 ('Meske').

**Wolff** discloses:

As to claim 2,

data storage means storing content data; See 1:15-30; and

processing means configured such that, in response to said identifying means identifying a request for a specified content data, said processing means:

(a) select content data from said storage means in dependence of the content data specified in a request received by said identifying means; See 5:47-67; 6:30-57; 7:6-61;

(b) receive format identifiers identifying the type of formatting required; See 5:47-67; 6:30-57; 7:6-61;

(c) execute a first set of functions to generate viewable data comprising said selected content data and first formatting data when a first format identifier is received; See 5:47-67; 6:30-57; 7:6-61; and

(d) execute a second set of functions to generate viewable data comprising said selected content data and second formatting data when a second format identifier is received, such that viewable data is served to a browser for display with locations of said text and/or graphics which depends upon the particular format identifier received by the processing means; See 5:47-67; 6:30-57; 7:6-61.

Wolff discloses the claimed invention except for identifying requests from browsing devices at an identifying means that define a request for specified content data. Meske teaches that it is known to identify requests from browsing devices at an identifying means that define a request for specified content data. It would have been obvious to one having ordinary skill in the art at the time the invention was made to identify requests from browsing devices at an identifying means that define a request for

specified content data as taught by Meske, since Meske states at column 4, lines 15-33 and 52-60 that such a modification would a user via a client application program (browser) to specify terms in which the server will cause an application program to function and present information to a the user. Further, Wolff's background in column 1, lines 14-35 discloses that user select various documents using a graphical browser which retrieves documents and provides them to the user by displaying them to the user.

As to claim 3,

wherein said format identifiers are received from browsing devices with said requests for specified content data, such that viewable data is served to a browsing device for display with a first format when a first format identifier is received from said browsing device, and a second format when a second format identifier is received from said browsing device; See 5:47-67; 6:30-57; 7:6-61; 9:28-67; also corresponding response to browsers in claim 2.

As to claim 4,

wherein said data storage means comprises a graphics database, whereby viewable data including graphics is served to a browsing device for display with a format which depends upon the particular format identifier received by the processing means; See 5:47-67; 6:30-57; 7:6-61; 9:28-67.

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As to claim 5,

read specified user data from said user database, such that said specified user data corresponds to a received user identifier; See 5:47-67; 6:30-57; 7:6-61; 9:28-67; and

select content data in dependence of said read data; See 5:47-67; 6:30-57; 7:6-61; 9:28-67.

As to claim 6,

wherein said information relating to user preferences is identified by users; See 4:55-67 5:4-23.

As to claim 8,

a user database comprising information serving to user preferences and a text database which has an index; See 4:55-67 5:4-23;

said identifying means is further configured to receive a user identifier with said request for specified content data; See 5:47-67; 6:30-57; 7:6-61; 9:28-67; and

said processing means is configured to:

read data from said user database in response to a received user identifier; See 5:47-67; 6:30-57; 7:6-61; 9:28-67;

and

adjust the index of said text database in response to said user information,

such that said selected content data is dependent upon a received user identifier; See 5:47-67; 6:30-57; 7:6-61; 9:28-67.

As to claim 9,

said serving device further comprises a user database comprising information relating to user preferences, and a graphics database which has an index; See 4:55-67 5:4-23;

said identifying means is further configured to receive a user identifier with said request for specified content data; See 5:47-67; 6:30-57; 7:6-61; 9:28-67; and

said processing means is configured to:

read data from said user database in response to a received user identifier; See 5:47-67; 6:30-57; 7:6-61; 9:28-67; and

adjust the index of said graphics database in response to said user information, such that said selected content data is dependent upon a received user identifier; See 5:47-67; 6:30-57; 7:6-61; 9:28-67.

As to claim 12,

wherein said data storage means storing content data is a content database and said serving device further comprises a separate function database comprising a plurality of sets of functions including said first set of functions and said second set of functions, whereby said content database may be edited before said processing means

combines said content data with formatting data to generate viewable data; See 5:47-67; 6:30-57; 7:6-61; 9:28-67.

As to claim 13,

wherein said viewable data is HTML, (hypertext markup language) data, and said first and second formatting data comprise of HTML tags; See 5:47-67; 6:30-57; 7:6-61; 9:28-67.

As to claim 14,

(a) storing content in a storage means; See 5:47-67; 6:30-57; 7:6-61; 9:28-67;

(b) identifying requests from browsing devices at an identifying means that define a request for specified content data then, in response to identifying a request for specified content data; See 5:47-67; 6:30-57; 7:6-61; 9:28-67; also corresponding response to browsers in claim 2; and

(c) selecting content data from said storage means in dependence of the content data specified in a request received by said identifying means; See 5:47-67; 6:30-57; 7:6-61; 9:28-67;

(d) receiving format identifiers identifying the type of formatting required; See 5:47-67; 6:30-57; 7:6-61; 9:28-67

(e) executing a first set of functions to generate viewable data comprising said selected content data and first formatting data when a first format identifier is received; See 5:47-67; 6:30-57; 7:6-61; 9:28-67; and



(f) executing a second set of functions to generate viewable data comprising said selected content data and second formatting data when a second format identifier is received, such that viewable data is served to a browser for display with locations of said text and/or graphics within a page, which depends upon the particular format identifier received by the processing means; See 5:47-67; 6:30-57; 7:6-61; 9:28-67.

As to claim 15,

identifying means for identifying requests from browsing devices that define a request for specified content data; See also corresponding response to browsers in claim 2;

data storage means storing content data; See 5:47-67; 6:30-57; 7:6-61; 9:28-67;

function storage means storing executable functions; and processing means configured such that, in response to said identifying a request for specified content data, said processing means:

(a) selects content data from said data storage means in dependence upon the content data specified in a request received by said identifying means; See 5:47-67; 6:30-57; 7:6-61; 9:28-67;

(b) receive format identifiers identifying the type of formatting request; See 5:47-67; 6:30-57; 7:6-61; 9:28-67;

(c) select a set of functions from said function storage means in dependence upon a received format identifier; See 5:47-67; 6:30-57; 7:6-61; 9:28-67; and

(d) execute said set of functions to generate viewable data comprising said selected content data and formatting data; See 5:47-67; 6:30-57; 7:6-61; 9:28-67.

As to claim 16,

wherein said format identifier is received via said identifying means with said request for specified content data, whereby viewable data is served to a browser for display with a format which depends upon the particular format identifier received from said browser; See 5:47-67; 6:30-57; 7:6-61; 9:28-67; also corresponding response to browsers in claim 2.

As to claim 17,

wherein said data storage means comprises a graphics database storing graphics data and said execution of said function results in graphics data being read from said graphics database, thereby generating viewable data which includes graphics; See 5:47-67; 6:30-57; 7:6-61; 9:28-67.

As to claim 19,

wherein said viewable data is HTML (hypertext markup language) data, and said formatting data comprise of HTML tags; See 5:47-67; 6:30-57; 7:6-61; 9:28-67.

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As to claim 20,

(a) identifying requests from browsing devices that define a request for specified content data; See also corresponding response to browsers in claim 2;

(b) storing content data within data storage means; See 5:47-67; 6:30-57; 7:6-61; 9:28-67;

storing executable functions within function storage means; See 5:47-67; 6:30-57; 7:6-61; 9:28-67; and

(c) selecting content data from said data storage means in dependence upon the content data specified in a request from a browsing device; See 5:47-67; 6:30-57; 7:6-61; 9:28-67;

(d) receiving format identifiers identifying the type of formatting required; See 5:47-67; 6:30-57; 7:6-61; 9:28-67;

(e) selecting a set of functions from said function storage means in dependence upon a received format identifier; See 5:47-67; 6:30-57; 7:6-61; 9:28-67; and

(f) executing said set of functions to generate viewable data comprising said selected content data and formatting data; See 5:47-67; 6:30-57; 7:6-61; 9:28-67.

As to claim 21,

(a) selects content data from said database in dependence of the content data specified in a request received by said identifying means; See 5:47-67; 6:30-57; 7:6-61; 9:28-67;

(b) receives format identifiers; See 5:47-67; 6:30-57; 7:6-61; 9:28-67;

(c) executes a first set of functions to generate second HTML data comprising said selected content data and first formatting data when a first format identifier is received; See 5:47-67; 6:30-57; 7:6-61; 9:28-67;

(d) executes a second set of functions to generate second HTML data comprising said selected content data and second formatting data when a second format identifier is received, so that HTML data is served to a browser for display with a format which depends upon the particular format identifier received by the processing means; See 5:47-67; 6:30-57; 7:6-61; 9:28-67.

#### ***Allowable Subject Matter***

Claims 7, 10, 11, and 18 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

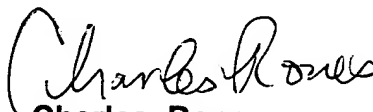
Applicant's arguments with respect to claims 2-6, 8-9, and 12-21 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Rones whose telephone number is 703-306-3030. The examiner can normally be reached on Monday-Thursday 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.

  
**Charles Rones**  
**Primary Examiner**  
**Art Unit 2175**

August 7, 2004